

**APPROVED 3/19/09**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**ZONING BOARD OF APPEALS**

Zoning Board of Appeals meeting held on Thursday, January 15, 2009 at the Mildred A. Wakeley Community and Recreation Center in Room #2 at 7:30 PM.

**MEMBERS PRESENT:**

Robert F. Hannon, Chairman  
Theresa Ranciato-Viele, Vice Chairman  
Caren M. Genovese  
Joseph A. Cappucci  
Cheryl A. Juniewicz, Alternate, sitting for Donald F. Clark

**MEMBERS ABSENT:**

Donald F. Clark, Secretary  
Robert E. Martin, Alternate  
Mary Jane Mulligan, Alternate

**TOWN PERSONNEL:**

Alan A. Fredricksen, Land Use Administrator  
Arthur Hausman, Zoning Enforcement Officer

**OTHERS PRESENT:**

Mary Lee Rydzewski, Public Stenographer  
Sandi Lion, Clerk

**AGENDA:**

Mr. Hannon called the meeting to order at 7:32 PM. He introduced the members of the Board, the Town staff, the stenographer and clerk. Mr. Hannon explained that under the Connecticut State Statutes for an appeal request to be approved, the applicant needs a minimum of four (4) Board members to concur.

Ms. Juniewicz read the call for the agenda item.

1. #09-01 Application of Ronald Ferrucci, Owner and Applicant, relative to 5 Evergreen Place, (Map 101, Lot 54), Appeal of a Cease & Desist Order of the Zoning Enforcement Officer. R-20 Zoning District.

Mr. Hausman, explained the violation, at 5 Evergreen Place, that resulted from having a commercial motor vehicle in a residential zone. On September 29, 2008, a Cease & Desist Order was issued to the applicant, Mr. Ronald Ferrucci. Mr. Ferrucci stated that the 15' box truck is registered in his name. He explained to the Commission that he has a home business and uses this vehicle to pick up and deliver supplies.

Mr. Ralph Ferrucci, applicant's son, further discussed the situation. Mr. Hausman read the regulation regarding a ¾ ton vehicle. The Commission asked questions and Mr. Ronald Ferrucci responded. Mr. Hausman, Zoning Enforcement Officer, read the vehicle registration which states that the vehicle weighs 12,000 pounds and is registered as a commercial vehicle.

Ms. Juniewicz read into the record a letter of complaint, Exhibit 1, from Jean Coxeter, who resides at 6 Evergreen Place. Also submitted, by Jean and Ray Coxeter, were seven photos, Exhibits 2-8.

**DELIBERATION SESSION:**

1. Application of Ronald Ferrucci, Owner and Applicant, relative to 5 Evergreen Place.

Mrs. Ranciato-Viele moved to uphold the Cease & Desist Order; Mrs. Genovese seconded the motion. The Board voted as follows:

Hannon – aye Ranciato-Viele – aye Genovese – aye Cappucci – aye Juniewicz - aye

The application was therefore denied.

In denying the application, the Board stated the following.

1. The Board is in agreement with the Zoning Enforcement Officer that there is a violation located at 5 Evergreen Place.

**CEASE AND DESIST ORDERS:**

Mr. Arthur Hausman, Zoning Enforcement Officer, discussed recent zoning violations.

201 Maple Avenue

Outside storage and inoperable vehicles. They have until January 16, 2009 to appeal the Cease & Desist Order.

323 Washington Avenue

Sign violation - signs have been removed.

**CORRESPONDENCE:** Conn. Federation of Planning & Zoning Agencies,  
Fall 2008 Newsletter

**MINUTES:**

December 18, 2008

Mrs. Ranciato-Viele moved to approve the minutes of December 18, 2008; Mr. Cappucci seconded the motion; the Board members voted as follows:

Hannon – aye Ranciato-Viele – aye Genovese – aye Cappucci – aye Juniewicz - aye

**OTHER:** None

**ADJOURN:**

There being no further business, Mr. Cappucci moved to adjourn; Mrs. Genovese seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 8:02 PM.